

COMMISSIONER FOR PATENTS UNITED STATES PATENT AND TRADEMARK OFFICE WASHINGTON, D.C. 20231 www.uspto.gov

APPLICATION NUMBER FILING/RECEIPT DATE FIRST NAMED APPLICANT ATTORNEY DOCKET NUMBER 09/899,569 07/06/2001 Norbert Schweifer 0652.2280001

STERNE, KESSLER, GOLDSTEIN & FOX PLLC

1100 NEW YORK AVENUE, N.W., SUITE 600 WASHINGTON, DC 20005-3934

26111

CONFIRMATION NO. 1574 FORMALITIES LETTER *OC000000006981103*

Date Mailed: 10/26/2001

DODERNAL 00000076 09899589

FILED UNDER 37 CFR 1.53(b)

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

280.00 GP

Filing Date Granted

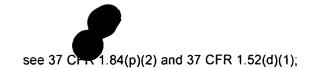
An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing. Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The application was filed in a language other than English. Applicant is required to provide an English. translation of the specification and a statement that the translation is accurate. (See 37 CFR 1.52(d)).
- Applicant must file an English translation of the application, the \$ 130 fee set forth in 37 CFR 1.17(i), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
- The balance due by applicant is \$ 970.
- Because your specification was filed in a language other than English, the Office was unable to determine the number of claims submitted. Additional claim fees may be due once the number of claims can be determined.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing figures contain text that is not in English (including, for example, a flow chart that was originally not in English that has been marked up to include the English text)





A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of
the computer readable form does not comply with the requirements of 37 C.F.R. 1.822 and/or 1.823, as
indicated on the attached copy of the marked -up "Raw Sequence Listing." Applicant must provide a
substitute computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content
of the sequence listing information recorded in computer readable form is identical to the written (on paper
or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR
1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d).

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase Patentin Software, call (703) 306-2600
- For Patentin Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice <u>MUST</u> be returned with the reply.

B)

Customer Service Center

Initial Patent Examination Division (703) 308-1202

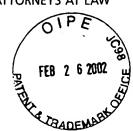
PART 3 - OFFICE COPY



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Robert Greene Sterne Edward J. Kessler Jorge A. Goldstein David K.S. Cornwell Robert W. Esmond Tracy-Gene G. Durkin Michael B. Ray Robert E. Sokohl Eric K. Steffe Michael Q. Le Steven R. Ludwig John M. Covert Linda E. Alcom Robert C. Millonig Lawrence B. Bugaisky Donald J. Featherstons Michael V. Messigner hudith U. Kim Timothy J. Shea, Jr. Patrick E. Garrett Jeffery T. Helvey* Heidi L. Kraus Crystal D. Sayles E. Charles D. Sayles E. Albert L. Ferro* Donald R. Banowit Peter A. Jackman Molly A. McCall Teffrey S. Weaver Kendrick P. Patterson Vincent L. Capuano Albert J. Fasulo II* Eldora Ellison Floyd W. Russell Swindell Fiala
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*Admitted only in Maryland *Admitted only in Virginia *Admitted only in Texas

February 26, 2002

WRITER'S DIRECT NUMBER: (202) 371-2606 INTERNET ADDRESS: anns@skgf.com

Commissioner for Patents Washington, D.C. 20231

Box Missing Parts

Re:

U.S. Utility Patent Application

Appl. No. 09/899,569; Filed: July 6, 2001 For: **Tumorassoziiertes Antigen (B345)**

Inventors: SCHWEIFER et al. Our Ref: 0652.2280001/EKS/AES

Sir:

In reply to the "Notice to File Missing Parts of Nonprovisional Application--Filing Date Granted," dated October 26, 2001, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

- 1. Fee Transmittal (PTO/SB/17);
- 2. Petition for Extension of Time under 37 C.F.R. §1.136(a)(1);
- 3. Copy of the Notice to File Missing Parts;
- 4. Original Declaration, executed by the inventors;
 - An original executed Power of Attorney from Assignee;
- 6. Certificate Under 37 C.F.R. § 3.73(b) with copy of Assignment attached;

Sterne, Kessler, Goldstein & Fox PLC: 1100 New York Avenue, NW: Washington, DC 20005: 202.371.2600 f 202.371.2540: www.skgf.com

Commissioner for Patents February 26, 2002 Page 2

- 7. English translation of Application under 37 C.F.R. §1.52(d)(1) with Verification of Translation attached and including substitute drawings in compliance with 37 C.F.R. §1.84;
- 8. Submission of Accurate Translation of Provisional Application under 37 C.F.R. § 1.78(a)(5);
- 9. English translation of U.S. Provisional Application No. 60/297,747, with Verification of Translation attached under 37 C.F.R. §1.78(a)(5);
- 10. **28** pages of a paper copy of a sequence listing along with a computer readable copy of the sequence listing;
- 11. Amendment and Submission of Substitute Sequence Listing Under 37 C.F.R. §1.825(a);
- 12. Submission of Certified Copy of 35 U.S.C. §119(a)-(d) Priority Document in Utility Application;
- 13. Certified Copy of German Priority Document **DE 101 19 294.0**;
- 14. Certified Copy of German Priority Document **DE 100 33 080.0**;
- 15. Our check no. **34313** for **\$1,680.00** to cover:

\$740.00 - application filing fee;

\$280.00 - multiple claim fee;

\$400.00 - two (2) month extension of time fee;

\$130.00 - late Declaration surcharge fee; and

\$130.00 - English language translation fee; and

16. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent

Commissioner for Patents February 26, 2002 Page 3

abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

Sterne, Kessler, Goldstein & Fox P.L.L.C.

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Ann E. Summerfield

Agent for Applicants

Registration No. 47,982

EKS/AES:kim:amr Enclosures

P:\USERS\Ann\Angela\0652\0652.2280001\NFMPCvrLtr

FEE TRANSMITTAL for FY 2002

FEB 2 6 2002

Complete if Known						
Application Number	09/899,569					
Filing Date	July 6, 2001					
First Named Inventor	SCHWEIFER					
Examiner Name	To Be Assigned					
Group Art Unit	To Be Assigned					
Attorney Docket No.	0652.2280001/EKS/AES					

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT

(\$) 1,680.00

METHOD OF PAYMENT (check one)			FEE CALCULATION (continued)							
The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:				TIONAL Entity		Entity				
Deposit Account Number	19-0036		Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee D	escription	Fee paid	
Deposit Account Name	Sterne, Kessler	r, Goldstein & Fox P.L.L.C.	105	130	205	65	Surcharge - late filing f	ee or oath	\$130.00	
		127	50	227	25	Surcharge - late provisional	rcharge - late provisional filing fee or cover sheet			
Charge Any Additional Fee Required Under 37 CFR §§ 1.16 and 1.17			139	130	139	130	Non-English specifi	inglish specification		
Applicant claims small entity status See 37 CFR 1.27			147	2,520	147	2,520	For filing a request for	nation		
See 37 CFR 1	112	920*	112	920*	Requesting publication of action	er				
2. Payment Enc	113	1,840*	113	1,840*	Requesting publication of	action				
Check Credit card Money Order Other* 'Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.			115	110	215	55	Extension for reply w			
-	FEE CALC	ULATION	116	400	216	200	Extension for reply w	ithin second month	\$400.00	
I. BASIC FILING FEE			117	920	217	460	Extension for reply w	ension for reply within third month		
Large Entity Sma Fee Fee Fee		Description Fee Paid	118	1,440	218	720	Extension for reply w	ithin fourth month		
	le (\$)	Description Fee Paid	128	1,960	228	980	Extension for reply w	ithin fifth month		
101 740 201	370 Utility	y filing fee\$740.00	119	320	219	160	Notice of Appeal			
106 330 206		gn filing fee	120	320	220	160	Filing a brief in suppo			
107 510 207		t filing fee	121	280	221	140	Request for oral hear			
108 740 208		sue filing fee	138	1,510	138	1,510	Petition to institute a	public use proceed	ling	
114 160 214	80 Provi	isional filing fee	140	110	240	55	Petition to revive - ur			
SUBTOTAL (1) (\$)740.00			141 142	1,280	241	640	Petition to revive - ur			
(4)				1,280	242	640	Utility issue fee (or re			
			143	460	243	230	Design issue fee			
			144	620	244	310	Plant issue fee			
2 EVEDA CLAIMA		F 6	122	130	122	130	Petitions to the Com			
2. EXTRA CLAIM I	Extra	Fee from a below Fee Paid	123	130	123	130	Petitions related to p			
Total Claims11_	20**	= <u>0</u> X =	126	180	126	180	Submission of Inform	ation Disclosure S	tmt	
Indep. Claims1_	3** =0) X =	581	40	481	40	Recording each patent assignment per property (times number of properties)			
Multiple Dependent	t	280.00 = \$280.00	146	740	246	370	Filing a submission a (37 CFR 1.129(a))	fter final rejection		
Large Entity Small Fee Fee Fee	Fee F	ee Description	149	740	249	370	For each additional in (37 CFR 1.129(b))	nvention to be exam	nined	
Code (\$) Code 103 18 203		s in excess of 20	179	740	279	370	Request for Continue	ed Examination (RC	(E)	
102 84 202	42 Indepe	endent claims in excess of 3	169	900	169	900	Request for expedite	d examination of a		
	•	le dependent claim	Other fee	(cnecify) :			design application			
108 84 209 110 18 210	42 **Reis patent 9 **Reis	ssue independent claims over original t ssue claims in excess of 20 and over	Julei lee	(apecity).						
original patent				Other fee (specify):						
		(\$) 280.00 For Reissues, see above	*Reduced	by Basic F	iling Fee	Paid	SUBTOTAL (3) (\$)660.00			
SUBMITTED BY Complete (if applicable)										
Name (<i>Print/Type</i>		Registration No. (Attorney/Agent)			47,982	Telephone	202-371-2600			
Signature	an	« E Sunde	ld					Date	February 263	



In re application of:

Schweifer et al.

Appl. No. 09/899,569

Filed: July 6, 2001

For:

Tumorassoziiertes Antigen (B345)

Confirmation No. 1574

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 0652.2280001/EKS/AES

Submission of Accurate Translation of Provisional Application under 37 C.F.R. § 1.78(a)(5)

Commissioner for Patents Washington, D.C. 20231

Sir:

In compliance with 37 C.F.R. § 1.78(a)(5), submitted herewith is a translation of Applicants' U.S. provisional application priority document, U.S. Appl. No. 60/297,747. The translation is accurate. This submission is being made within the later of four months from the actual filing date of the above-captioned nonprovisional application or sixteen months from the filing date of the provisional application. Prompt acknowledgment of this submission is respectfully requested.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

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Ann E. Summerfield Agent for Applicants

Registration No. 47,982

Date: February 26.

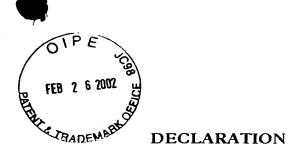
1100 New York Avenue, N.W.

Suite 600

Washington, D.C. 20005-3934

(202) 371-2600

P:\USERS\Ann\Angela\0652\0652.2280001\SubofTransltn



I, Jane Roberta Mann, B.A., a Translator, of Frank B. Dehn & Co., 179 Queen Victoria Street, London, EC4V 4EL, do declare that I have a competent knowledge of the English and German languages and that the document that is annexed hereto is a true and accurate translation of the text of U.S. Appln. No. 09/899,569, filed July 6, 2001 (BI Ref. No. 12/214,219-US).

I further declare that all statements made of my own knowledge are true and that all statements made on information and belief are believed to be true.

I acknowledge that wilful false statements and the like are punishable by fine or imprisonment, or both [18 U.S.C. 1001] and may jeopardize the validity of the application or any patent issuing thereon.

Signed this 19th day of February, 2002